

63. We fear that if Judge Scheindlin is allowed to continue with this case, all future submissions and motion practice before her will be tainted because of her bias, prejudice, improper communications with non-parties and/or consideration of and allowing alleged facts and information from non-parties to be included in or affect her decisions.

64. We fear that we will end up wasting more time and money in going through the necessary Motion practice in order to establish a record on Appeal that the 2nd Circuit will ultimately review.

65. We respectfully submit that the interests of justice would best be served if Judge Scheindlin would simply recuse herself and allow these issues to be presented to an impartial Judge who has not been prejudiced or biased by such non-party submissions and information as that which has clearly tainted Judge Scheindlin.

DECLARATION UNDER 28 USC § 1746

I declare, verify, certify and state under the penalties of perjury the foregoing statements to be true.

Dated: 25 June 2007

**DECLARATION IN ACCORDANCE WITH 28 USC § 1746
AND AS REQUIRED BY 28 USC §144**

I have read the above Declaration of Bias and certify that no prior Declarations of Bias have been filed and this Declaration has been made in Good Faith after considering the facts, documents and records in this case.

Dated: 25 June 2007
Munich, Germany

Br. Bernd Geiss